Supreme Court, U.S.
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No.

IN THE

Supreme Court of the United States

DENNY R. HARDIN,
Petitioner

V.

STATE OF MISSOURI et al.

On Petition For Extraordinary Writs
To The Supreme Court of Missouri

PETITION FOR EXTRAORDINARY WRITS

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74 pp

Questions Presented for Review

1. Are all Judges bound by the "Supreme Law of the Land"?

2. Do Judges have the authority to evade, ignore and violate the "Supreme Law of the Land?

3. Do Judges have the authority to "dismiss" all law, including Constitutional Mandates, to aid and abet "Fraud".

4. Is the Constitution of the United States the "Supreme Law of the Land"?

5. Does the United States Supreme Court Protect the "Civil Rights" of American citizens?

6. Is there a United States of America or not?

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Definition

"Fraud" throughout this petition is defined as follows"

""Fraud" is willful, malevolent act, directed to perpetuation of wrong to another's rights." Bertram v. Kempster, 216 S.W.2d 494.-Fraud 1.

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Jurisdiction

This is a case of violations of "Federally Protected Rights". The Missouri Supreme Court has "denied" a "Motion for Transfer" that "Declared" violations of the First, Fourth, Fifth, Sixth and Fourteenth Amendments of the Constitution of the United States (Appendix B). The Missouri Court of Appeals for the Western District "dismissed" the Appeal on August 24, 2001 (Appendix A).Therefore this Petition is timely filed and the Supreme Court has proper jurisdiction.

The United States Supreme Court has jurisdiction in this cause of action under the "National Supremacy Clause". The "Judiciary Act of 1789" established the United States Supreme Court has jurisdiction over state supreme courts when they support a state law over the United States Constitution or rule against a right claimed under the constitution. The Missouri Supreme Court has done both. Therefore, this "Petition" is in aid of this Court's appellate jurisdiction. Rule 20(1)

This "Petition For Extraordinary Writs" is a continuation of a "Petition for Redress of Grievances" filed under the First Amendment of the Constitution. This Petition is a "Declaration of Condemnation" of the State of Missouri made under the

penalty of perjury within the guidelines of Public Law 94-550. This is a case of exceptional circumstances that warrant the exercise of the court's discretionary powers. Rule 20(1)

The United States Supreme Court has the authority to issue "writs" within the guidelines of 28 U.S.C. 1651(a) Petitioner must satisfy burden of showing that his right to issuance of the writ is clear and indisputable 28 U.S.C.1651 Note 298. Petitioner has requested writs of "Injunction" and "Mandamus" and believes he is entitled to the issuance because of "usurpation of power" by all Judges of the State of Missouri in this cause of action 28 U.S.C. 1651 Note 302. Because of the "pattern of noncompliance" with federal rules the exercise of this court's discretionary powers is warranted 28 U.S.C. 1651 Note 292.

This cause of action centers around the actions of a "private police force" that is illegally exercising the police powers of Missouri. This corporation has illegally seized private property, wrongfully prosecuted members of the public and defrauded taxpayers of millions. It is operating in conspiracy with lawyers, judges and police who are aiding and abetting its "fraud". "Legal Fraud" has been carried out within and by the courts of the

State of Missouri. This extraordinary circumstance warrants the exercise of the United States Supreme Court's discretionary power of "Injunction" to halt the illegal conduct of Missouri government. All orders of this cause of action are characteristic of the erroneous practice to ignore "Federally Protected Rights" to aid and abet the Fraud of the private police force. Guidelines for future cases should be established by this court 28 U.S.C. 1651 Note 281.

Petitioner requests "mandamus" to bring the courts of Missouri back within the sphere of their discretionary power and halt their illegal conduct of violating "Federally Protected Rights". 28 U.S.C. 1651 Note 295. "Mandamus is an extraordinary remedy traditionally employed only to confine an inferior court to a lawful exercise of its prescribed jurisdiction or to compel it to exercise its authority when it is its duty to do so." 28 U.S.C. 1651 Note 295

"Writ of mandamus is to be employed only under extraordinary circumstances; circumstances justifying use of writ are present when trial court has exceeded its authority, acted without jurisdiction, or failed to exercise jurisdiction in proper case." 28 U.S.C. 1651 Note 295 All elements justifying use of writs are present in this cause of action.

Reason for granting writs

I come before the United States Supreme Court as a "citizen" of America. I stand before you with all the laws, created by our ancestors, that have made America the most civilized nation on earth. I ask you to issue "extraordinary writs", a power this court is not legally required to carry out. I request this court to issue writs that it deems just and proper to restore justice in the State of Missouri. I hope this court finds the facts of this cause of action to be so appalling that the character of this court forces it's members to take action.

As an American Citizen, I come before this court seeking justice. I run the possibility of being perceived as a radical who wants to over throw government. My opposition has created this illusion to diminish my credibility. However, the "undisputed facts" of this cause of action show I alone am trying to stop individuals within government who have abandoned law. These individuals are condemned by the law and through conspiracy have evaded criminal charges for their conduct. They are responsible for enforcing our law, so they have chose to exempt themselves from prosecution. These individuals have violated the "supreme law of the land" and lost their immunity.

To date all these individuals have ignored accountability. The Judgement of the United States Supreme Court should uphold the principle all individuals are equally accountable for violations of law. Our ancestors, who sacrificed greatly to build our system of justice, demand the law to be equal for all. Equal for protection and equal for prosecution. This is a guiding principle of our nation, "equal justice for all". Today in the State of Missouri this principle has been abandoned in favor of government rule. The State of Missouri needs guidance to reestablish its duty to serve and protect citizens of the United States who reside within its authority and jurisdiction. I pray the United States Supreme Court will reestablish justice in the State of Missouri and show its dedication to the public it represents.

Denny R. Hardin

Certification of Facts

I, Denny R. Hardin, do hereby certify that all facts presented in this "petition" are true and correct under the penalty of perjury within the guidelines of Public Law 94-550. All facts are based on documented evidence admissible in court within the guidelines of "Federal Rules of Evidence".

Statement of case

This cause of action centers around the conduct of government officials, lawyers, judges and police who are aiding and abetting a private police force. These individuals are operating a conspiracy to defraud taxpayers, violate citizens constitutional rights and carryout military tactics against the public. This private police force creates crime to financially profit in acts of self-dealing. This private police force is responsible for thousands of cases of wrongful prosecution, countless cases of illegal seizure and countless cases of "civil rights" violations. Should the facts of this cause of action show the illegal status of this private police force, the United States Supreme Court should issue "injunctions" to halt its illegal conduct.

Delbert L. Dunmire (convicted bank robber) united with police officers of 3rd and 4th class cities to establish a private police force. This police force was granted "corporate status" by the Missouri Secretary of State (I.D. N00035749) on November 21, 1986. In July 1988, the Internal Revenue Service granted this corporation exemption from Federal Income Tax under the provisions of Section 501(c)(3) of the Internal Revenue Code of 1954. This private police force is operating

as a "private not for profit corporation" legally known as "Jackson County Drug Enforcement Task Force, Incorporated".

On March 26, 1991, Judge Lee Wells issued a "Writ of Seizure" without a signed statement of probable cause. Judge Wells violated the Fourth Amendment of the Constitution of the United States by issuing this writ. The writ was to seize private property (a 1977 Corvette) and was exercised by the private police force on April 1, 1991. The private police force carried out the seizure in "ski masks" and created a public out cry for the method utilized.

On April 2, 1991, a summons with a petition for forfeiture was issued under the color of law, Revised Statues of Missouri 513.600 – 513.645 and 195.145. The petition claimed the corvette was used in the distribution of a controlled substance, derived from the proceeds of criminal activity and realized through criminal activity. For these reasons the Jackson County Prosecuting Attorney instituted legal process on behalf of the private police force.

On February 25, 1992, "Motion to Dismiss Petition For Forfeiture" challenging the legal status of the private police force was filed. This challenge was the private police force

can not legally exercise the police power of Missouri because the Constitution of Missouri Article XI, Section 3. Prohibits exercise of police powers by any corporation. It also showed the laws requiring dismissal of the petition and the federally protected rights that had been violated. On February 28, 1992 Judge Lee Wells "overruled" the motion and violated the Fourteenth Amendment of the Constitution of the United States for denial of equal protection of law.

On May 4, 1992, a "Motion For Change of Judge" was filed outlining violations of "Federally Protected Rights" by Judge Lee Wells. This motion was "overruled" by Judge Lee Wells on May 6, 1992.

On May 11, 1992, the State of Missouri filed a "Motion in Liminae" to "Prohibit any line of inquiry or discussion with regard to the jurisdiction or authority of the Jackson County Drug Task Force to conduct investigations and/or institute legal process in Kansas City or Jackson County Missouri." This motion was "sustained" by Judge Lee Wells the morning of trial (May 11, 1992) in denial of due process of law a violation of the Fifth Amendment of the Constitution of the United States.

During trial documented evidence showed

the car was purchased with an insurance settlement. All members of the private police force testified under oath that they had no knowledge of the car's involvement in any criminal activity. Under Revised Statues of Missouri 513.607(5)(2) "The burden of proof will be on the investigative agency to prove all allegations contained in the petition." No allegation of the petition was proved, yet on October 30, 1992 Judge Lee Wells "Order" the corvette awarded to the Jackson County Drug Task Force.

Petitioner condemns this legal process, Case CV91-7821, as all "Fraud". It is "Fraud" for a Judge, prosecuting attorney and private police force to carryout a legal process that claims the authority and jurisdiction to violate "Federally Protected Rights" of the Fourth, Fifth and Fourteenth Amendments of the Constitution of the United States. Petitioner seeks "Relief From Judgement" under 42 U.S.C. 1983 that outlines when federally protected rights have been violated by a state or local official or other person who acted under the color of state law, that person is entitled to relief.

Because of the negative publicity surrounding the seizure, it was necessary for the private police force to justify its actions. On June 7, 1991, members of the private police force gave evidence to a grand

jury as law enforcement officers. Members of the private police force utilized police titles of detective to show the grand jury their authority and jurisdiction to exercise the police powers of Missouri. They claimed to be "law enforcement officers" of the Jackson County Drug Task Force. Petitioner condemns this action as "Fraud". "Law enforcement" is a general term, one not conveying any authority or jurisdiction to exercise police powers.

Based on testimony of Steve Santoli (a Raytown, Missouri police officer) a two count "Indictment" was handed down against Petitioner. Two counts of sales of a controlled substance (Class "B" Felony). This Indictment was utilized by the private police force to justify the seizure of the corvette some two months earlier (April 1, 1991). This was widely publicized in local newspapers. This "Indictment" is evidence of "Legal Fraud" of the private police force. "Material misrepresentations, though innocently made, relied and acted upon by the party to whom made constitutes "legal fraud". Keeton Packing Co. v. State 437 SW 2d 20, 28.

As a member of the private police force Steve Santoli entered Kansas City, Missouri and solicited the purchase of controlled substances. This act constitutes "criminal

activity" as defined in the Revised Statues of Missouri 513.605(3) "Criminal Activity" is the solicitation of another person to commit any crime chargeable by indictment. Because Santoli was acting on behalf of a private police force, Petitioner contends this is "Organized Criminal Activity". Santoli was not acting as a "police officer" because he is a Raytown, Missouri Police Officer working in Kansas City, Missouri. He claims to be a detective of the Jackson County Drug Task Force, that gives him no authority or jurisdiction to exercise police powers. "When Police Officer left territorial boundaries of city, his status transforms to private citizen." (1984) Settle v. State 679 S.W. 2nd 310, 318. Petitioner condemns all evidence presented by Santoli as "tainted" and this cause of action falls directly under the "Fruit of a poisonous tree Doctrine" (1963) Wong Sun v. United States 371 U.S. 471, 83 S.Ct. 407. This case established evidence derived from illegal acts of police is not admissible in any court.

Throughout "Discovery" 3 separate attorneys refused to challenge the authority and/or jurisdiction of this private police force. These attorneys were provided with documented evidence and all refused to present the "facts" and "law" capable of vindication. Petitioner condemns this as "Proscutorial Misconduct" whereby defense

attorneys collaborated with the prosecuting attorney to allow "fraud" to continue in the court. Petitioner contends these attorneys acted to aid and abet "fraud" with malice, intent and knowledge for the financial rewards of "defense fees" of civil and criminal cases generated by the private police force. Petitioner contends this is a "Conspiracy of Fraud" by the Missouri Bar Association and its membership to extort money from the public. The threat of prison makes people pay attorneys.

Because of the attorneys refusal to challenge the private police force, Petitioner took over the defense. Petitioner's defense theory was to subpoena members of government who had violated law to establish the private police force. After the subpoenas were served, the State of Missouri filed Motion to Quash Subpoenas on January 23, 1992. On January 31, 1992 Judge David W. Shinn issued an "Order" to quash subpoenas. Judge David W. Shinn violated the Sixth Amendment of the Constitution of the United States for denial of compulsory process for obtaining witnesses.

The morning of trial (February 3, 1992) the State of Missouri filed a Motion in Limine precluding any mention of the jurisdiction and authority of the Jackson County Drug

Enforcement Task Force to conduct undercover Drug Sales investigations in Kansas City, Jackson County, Missouri. Judge James A. Moore "sustained" this motion ex parte, in denial of due process of law a violation of the Fifth Amendment. This order also blocked the right to confront witnesses against Petitioner in violation of the Sixth Amendment. Because the Judge and prosecuting attorney both knew the private police force was illegal, this action was a conspiracy to deny equal protection of the law a violation of the Fourteenth Amendment.

Petitioner filed a "Motion for Judgement of Acquittal" outlining the illegal status of the private police force, the law presented thus far in this petition and the violations of "federally protected rights". Judge Moore "overruled" this motion ex parte in denial of equal protection of law the morning of trial.

The legal advisor, left on the case by Judge Shinn, informed Petitioner, "if the case goes to trial and you are found guilty, you will spend 30 years in prison. You can't call any witnesses, you can't challenge the drug task force. What are you going to do? If you plead guilty they will go easy on you." Given the corruption witnessed, to that date, Petitioner believed this to be very possible. For this reason Petitioner was forced to

plead guilty and bare witness against himself. A violation of the Fifth Amendment.

On February 4, 1992 (the day after trial) Petitioner refiled the "Motion For Judgement of Acquittal". On February 21, 1992 Petitioner filed "Motion to withdraw guilty plea" and "Motion for new trail". These were "overruled" on May15, 1992 by Judge James A. Moore. On that date Judgement was entered against Petitioner and he was sentenced to two five year terms to run concurrent. The sentencing and civil trial were held in the same week for the headlines that read, "First he looses Car, Now he Looses Freedom".

Petitioner condemns case CR91-2596 as all "fraud". Petitioner contends this is a case of "Conspiracy to Convict" carried out by Judges, defense attorneys, prosecutors and the private police force, with malice, intent and knowledge to aid and abet the "Fraud" of the Jackson County Drug Enforcement Task Force. Part fraud is all fraud. (1878) U.S. v. Thorockmorton, 98 US 61, 65. Fraud of court no-one bound to obey. State v. Sutton, 63 Minn. 147,65 NW 263 30 L.R.A.630 Am St 459.

These two cases show the foundation of "fraud" and disobedience of constitutional

mandates. Both cases have common elements, 1) Violations of "federally protected rights", 2) Denial of the right to challenge the jurisdiction and authority of the Jackson County Drug Enforcement Task Force, 3) No findings of fact or conclusions of law issued and 4) violations of the code of Judicial Conduct and Professional Conduct to aid and abet "fraud". This is "indisputably" a "Conspiracy". 28 U.S.C.1343(1)citizens have the right to recover damages for the deprivation of any right or privilege of a citizen of the United States, by any act done in furtherance of conspiracy. 28 U.S.C. 1343(3) citizens have the right to redress deprivation of these rights. Petitioner seeks "Relief from Judgement" for "fraud upon the court". Petitioner seeks "Orders in Mandamus" to the Missouri Supreme Court to correct these past miscarriages of justice.

Because this erroneous practice has been carried out in many cases. 28 U.S.C. 1651 Note 281 Establishment of guidelines for future cases. "Mandamus is only appropriate in extraordinary circumstances such as where order under attack is made without jurisdiction or order is characteristic of an erroneous practice likely to reoccur ...". Since 1991, many cases have been litigated on behalf of this private police force. All are violation of law.

Should the court require further cases, Petitioner could change this petition to a class action and allow all citizens who have been violated to support it with sworn affidavits. 28 U.S.C. 1651 Note 298 "Mandamus remedy is to be invoked only in extraordinary situations where petitioner's right to relief is clear and undisputable". Article VI, Section 2 says the constitution and laws of the United States shall be the supreme law of the land; and the judges in every state shall be bound thereby.

The United States Supreme Court is the last court for this cause of action. Through litigation the following "fraud" has been carried out in all levels of court to aid and abet the private police force. In Federal District Court, Case Number 92-0730-CV-W-1-P. Mary Jane McQueeny (then attorney Drug Task Force, now Jackson County Councilor) presented the defense of Collateral Estoppel and Res Judicata. She claimed the issues had already been litigated. In the absence of proof (Findings of Fact and Conclusions of Law) of the authority and jurisdiction of the private police force, this was "fraud upon the Court". This decision was appealed and upheld.

Petitioner was totally frustrated by this point and gave up on life and liberty. He

came to believe there is no justice in America and government officials can do as they please without fear of prosecution. He was thrown into the depths of hell by corrupt government officials that desecrate the supreme law of the land and acted without authority or jurisdiction.

For two years Petitioner walked in despair and without any hope of justice. He went down to 107lbs and almost died. One day He raised his hands to God and said, "I have tried everything in my power to kill myself and you have chosen to keep me here, show me why". Within two months he owned his own house, something he couldn't do for 39 years. He went to college for Drafting and Engineering Design Technology, he made Phi Theta Kappa and the National Dean's List for the year 2000. The creed of Phi Theta Kappa is to excel by individual effort. Therefore, he started the case again, this time to fight for all his American brothers and sisters that can not fight for themselves. With this determination, Petitioner started the legal battle that has brought him before this court.

On January 19, 2000, Petitioner filed a "Petition for Redress of Grievances" requesting "Findings of Fact and Conclusions of Law" concerning the

authority and jurisdiction of the Jackson County Drug Enforcement Task Force. Petitioner requested "Relief From Judgements" for Fraud upon the Court, outlined all the constitutional violations that had occurred and requested a "Declaratory Judgement" with finding of facts and conclusions of law. This action was by the Missouri Rules of Court and every request was supported by these rules.

This Petition was filed under the First Amendment of the Constitution of the United States that allows citizens to petition government for the redress of grievances. The right to exercise this privilege is granted in Article IV, Section 2 of the Constitution of the United States.
The Respondents filed motions to dismiss claiming, 1) immunity from prosecution, 2) Res judicata and collateral estoppel, 3) Failure to state a claim and 4) the court lacks jurisdiction. No documentation of the private police force's authority or jurisdiction was provided. Because the Averments of the petition had been denied, Petitioner filed "Motion for Trial of Facts" to establish findings of fact and conclusions of law on March 3, 2000.

After a two minute oral argument, Judge Daniel L. Chadwick, dismissed the case without findings of fact and conclusions of

law on October 3, 2000. Judge Chadwick denied the First Amendment Right to petition for the redress of grievances, denied due process of law to determine findings of fact and conclusions of law in violation of the Fifth Amendment. Judge Chadwick disregarded all law and acted without authority or jurisdiction to dismiss constitutional mandates, federal regulations and all Missouri Rules of Court. Missouri Supreme Court Rule 87.02(d) states anyone may obtain a declaratory judgement in any instance in which it will terminate a controversy or remove an uncertainty.

Undisputable evidence of the illegal status of the Jackson County Drug Enforcement Task Force, has been presented and never ruled upon. Every time the issue is evaded and ignored by judges who choose to aid and abet the "fraud". Based upon this practice, Petitioner condemns the Judicial Branch of the State of Missouri as corrupt for operating "fraud" within their courts. Petitioner asserts the Constitution of Missouri Article XI, Section 3. Prohibits exercise of police powers by any corporation, therefore no government official or department could grant them any authority or jurisdiction to exercise police powers. Therefore, the only way this private police force could operate is in conspiracy

with lawyers, judges and police who allow them to operate and protect them against prosecution for their crimes. This is fact. In this public declaration, it must be accepted as fact unless proven otherwise, by the Respondents of this cause of action.

Because Judge Chadwick failed in his administrative, adjudicative and disciplinary responsibilities, Petitioner filed a Notice of Appeal, on September 29, 2000, to the Missouri Court of Appeals for the Western District.

The Appellant's Brief clearly stated, "The trial court has committed impeachable error by evading and avoiding its responsibility to uphold the Constitution of Missouri in a clear act of "willful neglect of duty", because the trial court has dismissed the entire case of constitutional violations it has failed in its administrative, adjudicative and disciplinary responsibilities." Because Judge Chadwick failed to issue findings of fact and conclusions of law, Petitioner restated the "undisputed facts" of the "Petition for Redress of Grievances".

Fact 1: "A complete copy of the corporate file of the Jackson County Drug Enforcement Task Force, Inc. is on file in the Missouri Secretary of State's Office."

Fact 2: "Jackson County, Missouri has presented the Jackson County Drug Enforcement Task Force, Inc. as part of the Jackson County Sheriff's Department in "Fraud" to obtain "grants of Public Money from the Missouri Department of Public Safety, for the corporation."

Fact 3: "Jackson County, Missouri has contracted with a "corporation" for law enforcement services in violation of Article XI, Section 3 of the Constitution of Missouri.

Fact 4: "The Jackson County Circuit Court has acted in corruption to aid and abet an unauthorized law enforcement corporation."

Fact 5: "A corporation, prosecutors, defense attorneys and judges of the Jackson County Circuit Courts have conspired to convict Appellant to give creditability to the "Fraud" of the corporation."

Fact 6: "The Respondents of this cause of action have united in "Fraud" to present the "false declaration" that the issues of the corporation have been litigated and determined."

These are "undisputed" "facts" that clearly show conspiracy to violate "federally protected rights" of American Citizens. The

corporation is clearly prohibited from exercising "police powers" in the Constitution of Missouri Article XI, Section 3. This corporation has seized private property (without probable cause), utilized the State of Missouri to wrongfully prosecute, wrongfully convict and incarcerate an American Citizen under the color of state law. All these "facts" were presented to the Missouri Court of Appeals, Western District and not denied by the Respondents.

On May 7, 2001, The Missouri Court of Appeals "dismissed" the Appeal claiming the Appellant failed to state what the court did wrong (Appendix D) Rebuttal (Appendix F & G)

On May 10, 2001, Petitioner filed "Motion for Transfer to the Missouri Supreme Court". The reason stated for transfer, "Because the Missouri Court of Appeals for the Western District has willfully neglected its duty to uphold the Constitution of Missouri and the Constitution of the United States by dismissing Appellant's legal challenge to the authority of the Jackson County Drug Enforcement Task Force, Inc.. Because the court has joined the "Fraud" of the Respondents to allow this Missouri Corporation to continue its violations of Constitutional Law. Appellant Motions for Transfer of this cause of action to the

Missouri Supreme Court."

On July 3, 2001, The Motion for Transfer was "denied" by the Missouri Court of Appeals for the Western District.

On July 10, 2001, Petitioner filed an "Application for Transfer" in the Missouri Supreme Court. The following questions were presented to the Missouri Supreme Court:

1. Do Missouri Government Officials have the authority and jurisdiction to evade, ignore and violate Missouri Constitutional Mandates?

2. Does the State of Missouri protect Federally Protected Rights of Missouri Citizens within its authority and jurisdiction?

3. Are Judges of the Circuit and Appellate Courts bound by an oath of office to defend and uphold the Constitution of Missouri and the Constitution of the United States?

4. Have Lawyers, Judges, Police and Corporations united in conspiracy to defraud Missouri taxpayers of Public Money?

5. Has injustice been carried out in Missouri Courts to allow corporations to financially profit from acts of self dealing?

6. Is the entire State of Missouri corrupt or are a few members of government abusing their authority?

7. Is the State of Missouri capable of cleaning up this corruption or does federal authorities need to be informed of civil rights violations?

Petitioner clearly stated "I declare before the Supreme Court of Missouri my federally protected rights under the First, Fourth, Fifth, Sixth and Fourteenth Amendments have been violated to further the conspiracy of the Jackson County Drug Enforcement Task Force."

On August 21, 2001, The Missouri Supreme Court willfully neglected its duty to uphold Federal Constitutional Mandates and "denied" the application for transfer.

On August 24, 2001, The Missouri Court of Appeals for the Western District issued a Mandate that dismissed the Appeal.

All avenues of judicial process in the State of Missouri have been exhausted. All courts

had the authority and jurisdiction to stop violations of "federally protected rights" and all willfully neglected their duty to do so.

The National Supremacy Clause, the Judiciary Act of 1789 established the U.S. Supreme Court and various lower courts. It states that the U.S. Supreme Court would have jurisdiction over state supreme courts when they support a state law over U.S. Constitution or rule against a right claimed under the Constitution. Both have repeatedly occurred in this cause of action.

Petitioner condemns the State of Missouri for "Denial" of "Federally Protected Rights" and seeks guidance from the United States Supreme Court to issue "Mandamus" to bring the State of Missouri back within its scope of authority and jurisdiction. Petitioner contends that to date no government office has adhered to the principles of justice established in the Constitution of the United States, all have acted in "fraud" by acting as though they have the authority to violate federally protected rights. Petitioner questions its government and asks, "Does any court of the United States of America extend citizens the "Bill of Rights"?" This can only be determined by action of those invested with the power of "Judgement" and the discretion of operating within the law.

Are all Judges bound by the "Supreme Law of the Land"?

Article VI of the Constitution of the United States clearly states, this Constitution and the laws of the United States which shall be made in pursuance thereof, shall be the supreme law of the land; and judges in every state shall be bound thereby.

Petitioner condemns the State of Missouri for failure to adhere to the Constitution of the United States. Lawyers, Judges and Police have abandoned their constitutional authority in favor of lawless action for their benefit.

Police have united in "private not for profit corporations" to defraud taxpayers of "public money". These individuals operate as a private police force to violate the supreme law of the land.

Lawyers refuse to present evidence capable of vindicating their clients, to allow the "fraud" of the private police force to continue to generate cases for their financial gain.

Judges of the State of Missouri "overrule", "dismiss" and "deny" the supreme law of the land to aid and abet the "Fraud" of lawyers and police. This is clearly a

"conspiracy" to operate "fraud" under the color of law.

The law gives Petitioner the right to relief 28 U.S.C. 1343(3) grants the right to redress deprivations of constitutional rights. 42 U.S.C. 1983 grants the right to relief when federally protected rights have been violated by state or local official or other person who acted under the color of state law. 28 U.S.C. 1343(1) grants the right to relief for the deprivation of any right or privilege of a citizen of the United States, by any act done in furtherance of any conspiracy. 42 U.S.C. 1986 made any person having knowledge [that a conspiracy to violate civil rights was afoot], and having power to prevent or aid in preventing the same, who did not attempt to stop the same, liable to any person injured by the conspiracy.

All Judges of this cause of action were presented the violations of federally protected rights and the above laws entitling Petitioner to relief. All were "denied", "dismissed" or "overruled" to further the "conspiracy" of the Jackson County Drug Enforcement Task Force, Incorporated. Petitioners condemns these Judges for violations of federally protected rights that were carried out with malice, intent and knowledge.

Do Judges have the authority to evade, ignore and violate the "Supreme Law of the land"?

"Since any constitutional amendment, upon adoption, becomes part of the constitution as much as if it had been originally incorporated therein, so that it is equal in dignity to an original provision of the constitution, it necessarily follows that amendments to the United States Constitution are part of the supreme law of the land within the meaning of Article VI Sec 2, of the Constitution. " 16 Am Jur 2d S 73

"The state constitution is the mandate of a sovereign people to its servants and representatives. No one of them has the right to ignore or disregard its mandates, and the legislature, the executive officers and the judiciary cannot lawfully act beyond its limitations."16 Am Jur 2d S 81.

There are hundreds of cases that support the supremacy of the Constitution, but they have no value if a judge will not adhere to them. Judges of the State of Missouri have shown by action that they are above any law and will execute justice as they see fit. The United States Supreme Court should issue "Mandamus" to bring these judges back within their scope of authority and jurisdiction.

Do Judges have the authority to "dismiss" all law, including Constitutional Mandates, to aid and abet "Fraud"?

The original petition presented facts that show "Fraud" has been perpetuated within and by the courts. The trial court's responsibility was to take appropriate action, to hear the case to determine if "Fraud" was present. The records clearly show that Judges had violated the "supreme law of the land" to aid and abet the private police force and the attorneys of record. Because of "Fraud upon the court" Petitioner is entitled to "relief from judgement" according to Mo. Rule 74.06(b)(2).

These facts were "Dismissed" in a biased and prejudicial determination in avoidance of duty. "Disobedience or evasion of constitutional mandates may not be tolerated." 16 Am Jur 2d S 81. The trial court's action was not only "tolerated" it was supported by the Missouri Court of Appeals for the Western District and the Missouri Supreme Court. Petitioner seeks "Relief from Judgement" for "Fraud of Court". The United States Supreme Court should issue "Mandamus" to the State of Missouri to hear and rule upon the facts of this case.

Is the Constitution of the United States the "Supreme Law of the Land"?

Article VI, Section 2 of the Constitution clearly establishes the supremacy of the Constitution and the binding effect it has on Judges in every state of the union. "The supremacy of the Constitution as law is declared without qualification and is absolute." 16 Am Jur 2d 70 "And amendments to the United States Constitution render unenforceable all state laws, whether organic or statutory, that conflict therewith." 16 Am Jur 2d 73

Petitioner condemns the State of Missouri for failure to uphold its duty to accept the United States Constitution as the "Supreme Law of the Land". The State of Missouri has abandoned the constitutions in favor of police corruption and lawyers' profits. When it is profitable for government to "war" upon an individual, then government has failed in it chief design to serve and protect the public. For eleven years Petitioner has battled for the basic protection that is guaranteed to every citizen of the United States by our Constitution. The United States Supreme Court should issue "Mandamus" to the State of Missouri to correct past rulings made in opposition of constitutional mandates that violated the "supreme law of the land".

Does the United States Supreme Court Protect the "Civil Rights" of American Citizens?

Petitioner has presented the constitutional violations contained in this petition to all courts. To date no court has upheld these constitutional doctrines and all courts have failed in their judicial responsibilities. Now these violations are being presented to the last court of the United States. Petitioner hopes this court is operated within the scope of powers laid out in the United States Constitution. No other court has acted within its scope of authority or jurisdiction, all have aided and abetted "fraud" to continue.

All rulings of the past courts to deny, dismiss and overrule constitutional mandates were done in "fraud" and no-one is bound by them. Until a court rules by the constitutions, injustice exists in our judicial system and Americans are being denied their basic freedoms. Corruption exists in the State of Missouri and government has abandoned its jurisdiction and authority. Only with "Mandamus" can the United States Supreme Court bring the State of Missouri back within its scope of authority. Civil Rights violations are condemned by law, either the Supreme Court condemns or condones these violations.

Is there a United States of America or not?

The Constitution of the United States is a contract between the citizens of America and its government. It was established by "We the People" and placed limitations upon government and granted it the power to operate. Today in the State of Missouri government has abandoned this authority and assumed power to violate the "Bill of Rights". If the United States Government does not extend these rights then government has "Breached" its contract with the "People". It is established that the United States Government is one of "limited powers" and only has the powers it was given in our constitution. Petitioner contends if this government does not protect "Civil Rights", then the United States Government no longer exists. Instead corruption has taken over our government and abolished our rights.

The United States of America is the strongest nation for one reason the support of its citizens. This cause of action has presented severe "Civil Rights Violations" that are threatening to tear apart this nation. When lawyers, judges and police unite against the individual, then they stand in opposition of all American Citizens. A violation of one, violates us all.

Conclusion

Petitioner began this struggle in April of 1991 and took this cause of action to every court available. Petitioner was denied justice in all of them. It says a lot when a citizen is denied "civil rights" to aid and abet government corruption. How many more citizens have been violated by corrupt government that operates fraud for its financial gain? The answer is many. The time has come for the line to be drawn. This line is the "Constitution of the United States". Either it is in force or it is not. Either government operates under its constitutional authority or it does not. There is no middle ground.

Either the law is equal and justice is for all. Or there is no law for anyone. The United States Supreme Court should stop the violations of "Civil Rights" by the corrupt government of Missouri and send a strong message to all states that violations of "Civil Rights" of American citizens are "unacceptable" in the United States of America. It is the "duty" of all courts of law to insure equal protection of law to all citizens under the Fourteenth Amendment. This Petition for extraordinary writs should be granted.

Respectfully Submitted

Oct 26, 2001
Date Submitted

Denny R. Hardin
Denny R. Hardin

Mandate

Missouri Court of Appeals

Western District

Case No: WD59183

Denny R. Hardin, Appellant, pro se

vs.

State of Missouri
Jackson County, Missouri
Kansas City, Missouri
Jackson County Drug Enforcement Task Force, Incorporated.
Respondents

Now on this day the appeal is dismissed. The Respondents shall recover against the Appellant the costs and charges herein expended, and shall have execution therefor.

Opinion filed.

STATE OF MISSOURI – Sct.

I, TERENCE G. LORD, Clerk of the Missouri Court of Appeals, Western District, certify that the foregoing is a full,

true and complete transcript of the judgement of the Missouri Court of Appeals, Western District, entered of record at the May Session thereof, 2001, and on the 7th day of May, 2001, in the above entitled cause.

Given under my hand and the seal of the Court, at Kansas City, Missouri, this 24th day of August, 2001.

Seal of Court

S/Terence G. Lord
Terence G. Lord, Clerk

Cc: Circuit Court Clerk
Attorneys of Record

In the Supreme Court of Missouri

Case No. SC83774
WD5981

Denny R. Hardin, Appellant

vs. (TRANSFER)

State of Missouri, et al., Respondents

Now at this day, on consideration of the appellant's application to transfer the above-entitled cause from the Missouri Court of Appeals, Western District, it is ordered that the said application be, and the same is hereby denied.

STATE OF MISSOURI – Sct.

I, Thomas F. Simon, Clerk of the Supreme Court of the State of Missouri, certify that the foregoing is a full, true and complete transcript of the judgement of said Supreme Court, entered of Record at the May Session, 2001, and on the 21st day of August, 2001, in the above-entitled cause.

Appendix B

Given under my hand and seal of said Court, at the city of Jefferson, this 21st day of August, 2001.

Rubber stamp Signature No Seal
Thomas F. Simmons Clerk

_____ D.C.

Appendix B Continued

Missouri Court of Appeals

Western District

Case No. WD59183

Denny R. Hardin, Appellant, pro se

vs.

State of Missouri
Jackson County, Missouri
Kansas City, Missouri
Jackson County Drug Enforcement Task Force, Incorporated.
Respondents

IMPORTANT NOTICE

To: All Attorneys of Record

Please be advised that Appellant's motion for Transfer to Supreme Court is **DENIED**. See Rule 83.04.

No Seal, No Signature
Terence G. Lord
Clerk

cc: JANICE FARR, MARY MCQUEENY
CHARLOTE FERNS, DAVID LIEBER
DENNY HARDIN

Appendix C

Rubber Stamp Red
NOTICE
THIS OPINION IS NOT FINAL UNTIL
ALL POST HANDDOWN MOTIONSHAVE
BEEN DISPOSED OF AND THE MANDATE
ISSUED AND RECEIVED.

Missouri Court of Appeals

Western District

Case No. WD59183
Filed: May 7, 2001

Denny R. Hardin, Appellant, pro se

vs.

State of Missouri
Jackson County, Missouri
Kansas City, Missouri
Jackson County Drug Enforcement Task Force, Incorporated.
Respondents

APPEAL FROM THE CIRCUIT COURT OF JACKSON COUNTY
The Honorable Daniel L. Chadwick, Judge

Appendix D

Denny R. Hardin appeals the circuit court's judgement to dismiss his "Petition for Redress of Grievance." The state and Jackson County Drug Enforcement Task Force assert, however, that we should dismiss Hardin's appeal for his failure to comply with rule 84.04. We agree and dismiss Hardin's appeal.

Hardin appears pro se. We hold pro se appellants to the same procedural rules as attorneys, and we do not grant them preferential treatment regarding compliance with those rules. Wilson v. Carnahan, 25 S.W. 3d 664,667 (Mo. App. 2000). Failure to comply with the rules of appellate procedure constitutes grounds for dismissal of an appeal. Shochet v. Allen, 987 S.W.2d 516,518 (Mo. App. 1999).

Rule 84.04(d)(1) instructs that the appellant's brief shall contain points relied on that "(A) identify the trial court ruling or action that the appellant challenges; (B) state concisely the legal reasons for the appellant's claim of reversible error and (C) explain in summary fashion why, in the context of the case, those legal reasons support the claim of reversible error." The rule further instructs:

The point shall be in substantial and following form: "The trial court erred in

[*identify the challenged ruling or action*] because [*state the legal reasons for the claim of reversible error*], in that [*explain why the legal reasons, in the context of the case, support the claim of reversible error*]"

Rule 84.04(d)(1). Moreover, "[a]bstract statements, standing alone do not comply with this rule." Rule 8404(d)(4).

Hardin's points relied on do not comply with Rule 84.04(d) at all. In his points, he asserts:

I. The Trial Court has Committed Impeachable Error by Evading and Avoiding its Responsibility to uphold the Constitution of Missouri in a Clear act of "willful neglect of duty", because the Trial Court has Dismissed the entire case of Constitutional violations it has failed in its Administrative, Adjudicative and Disciplinary Responsibilities.

II. Appellant Has The Right to Seek Justice From The Courts, the Respondents Have Conspired to Deny Appellant Judicial Determination of the Legal Status Of The Jackson County Drug Enforcement Task Force,

Incorporated To Continue The "Fraud" Of The Corporation.

III. Respondents Of This Cause Of Action Have Collectively Argued That Appellant Is Not Entitled to Equitable or Declaratory Relief and That They are Immune From Suit and Prosecution By The Doctrine of Sovereign Immunity.

Although Hardin's first point identifies the circuit court's ruling that he is challenging – the dismissal of his petition—the other two points do not identify the circuit court's rulings or actions that he is challenging. None of the points state the legal reasons for his claim of reversible error, and the points do not explain why those legal reasons support his claim of reversible error. Moreover, the points are not set forth in substantially the same form as set in Rule 84.04(d).

"Insufficient points relied on preserve nothing for this court to review." Hall v. Missouri Board of Probation and Parole, 10 S.W.3d 540, 544 (Mo. App. 1999)(quoting Green v. Douglas, 977 S.W. 2d 32, 33 (Mo.App. 1998). As explained by the Hall Court.

Compliance with Rule 84.04 briefing

requirements is mandatory...to ensure that appellate courts do not become advocates by speculating on facts and on arguments that have not been made. Deficient points relied on force the appellate court to search the argument portion of the brief or the record itself to determine and clarify the appellant's assertions, thereby wasting judicial resources, and worse yet, creating the danger that the appellate court will interpret the appellant's contention differently than the appellant intended or his opponent understood.

Hall 10 S.W.3d at 544-45 (quoting Myrick v. Eastern Broadcasting, Inc. 970 S.W.2d 885, 886 (Mo. App. 1998) (citation omitted)).

Hardin also did not comply with Rule 84.04(e) which requires: "the argument shall include a concise statement of the applicable standard of review for each claim of error." Although Hardin has a section in his brief in the argument section titled "Standard of Review," the section does not set forth the standard of review.

While we understand the problem faced by *pro se* litigants, we cannot relax our standard for non-lawyers. Murphy v. Shur, 6 S.W. 3d 207, 208 (Mo. App. 1999). Hardin's *pro se* status does not excuse him from compliance with Rule 84.04. Because

Hardin's points relied on do not comply with Rule 84.04(d) and because his argument does not include the applicable standard of review as required by Rule 84.04(e), we dismiss his appeal.

No Signature, No seal

Paul M. Spinden, Chief Judge

Robert G. Ulrich, Judge and Ronald R. Hollinger, Judge, concur.

In The Circuit Court of Jackson County, Missouri at Kansas City

Case No. CV00-201952

DENNY R. HARDIN, Plaintiff

vs.

STATE OF MISSOURI, et al., Defendants

Honorable Daniel L. Chadwick

Entered October 2, 2000

ORDER AND JUDGEMENT OF DISMISSAL

Cause comes on for hearing to consider pending motions this 29th day of September, 2000. The following appearances are made: Denny R. Hardin, pro se; Eric Durr, Esq. For defendant State of Missouri; Jane McQueeny, Esq. For defendant Jackson County, Missouri; Kimberly Fournier, Esq. For defendant City of Kansas City, Missouri; and Earlene Farr, Esq. For defendant Jackson County Drug Enforcement Task Force. The court

considers the following motions; defendant State of Missouri's Motion to Dismiss filed February 28, 2000; plaintiff's Motion for Trial of Facts filed March 3, 2000; defendant City of Kansas City, Missouri's Motion to Dismiss filed May 18, 2000; plaintiff's Second Motion for Trial of Facts filed May 23, 2000; defendant Jackson County Missouri's Motion to Dismiss filed June 6, 2000; and defendant Jackson County Drug Task Force's Motion to Dismiss filed June 19, 2000. The court hears oral argument of all parties regarding the four pending motions to dismiss.

Having duly considered all of the written suggestion and oral arguments of the parties, the court finds that the motions to dismiss should be granted. Therefore, the court sustains defendant State of Missouri's Motion to Dismiss Filed February 28, 2000; the court sustains defendant City of Kansas City, Missouri's Motion to Dismiss filed May18, 2000; the court sustains defendant Jackson County, Missouri's Motion to Dismiss filed June 6, 2000; and the court sustains defendant Jackson County Drug Task Force's Motion to Dismiss filed June 19,2000. The court overrules plaintiff's Motion for Trial of Facts filed March 3, 2000 and plaintiff's Second Motion for Trial of Facts filed May 23, 2000 as moot.

Appendix E Continued

THEREFORE, IT IS ORDERED AND ADJUDGED that plaintiff's petition filed January 19, 2000, is hereby dismissed with prejudice, costs taxed to plaintiff.

Entered this 2nd day of October 2000.

S/Daniel L. Chadwick
Daniel L. Chadwick, Visiting Judge

RECEIVED
DEPT. OF CIVIL RECORDS COURT
ADMINISTRATOR'S OFFICE

Oct 3 2000

CIRCUIT COURT OF JACKSON CO., MO.
BY _____ DCA

A copy of the foregoing was mailed this 2nd day of October, 2000 to the following:

Denny R. Hardin
Kimberly R. Fournier, Esq.
David M. Lieber, Esq.
Mary McQueeny, Esq.
J. Earlene Farr, Esq.

C/Carol S. Buchana
Carol S. Buchanan, Senior/Visiting Judges
Law Clerk

Pages 14 – 16 of Appellant's Brief Presented to Missouri Court of Appeals, Western District and "Dismissed"

ARGUMENT

I. The Trial Court has Committed Impeachable Error by Evading and Avoiding its Responsibility to uphold the Constitution of Missouri in a Clear act of "willful neglect of duty", because the Trial Court has Dismissed the entire case of Constitutional violations it has failed in its Administrative, Adjudicative and Disciplinary Responsibilities.

The Constitution of the United States Article IV, Section 2 says citizens shall be entitled to all privileges and immunities. The First Amendment gives citizens the right to petition government for the redress of grievances. The Fourteenth Amendment insures no denial of equal protect of the laws. The Trial Court dismissed it's responsibilities and deviated from the laws by which it is governed. The Trial Court acted in "Willful neglect of Duty" and dismissed its responsibilities to hear a cause of action that presented a "Corporation" that is acting as a law enforcement agency in violation of the

Constitution of Missouri Article XI, Section 3. Because this fact was presented and denied by all Respondents an "uncertainty" was created. This "uncertainty" established the right of Appellant to a "Declaratory Judgment". Rule 87.02(d)

Appellant motioned the Trial Court for the "Trial of Facts" for the determination of the legal question, "Is the Jackson County Drug Enforcement Task Force, Inc. and authorized law enforcement agency?"Rule 87.06 this established the Trial Court's responsibility to examine the facts and issue "findings of fact" and "conclusions of law" Cannon 3B(7). A judge is required to respect and comply with the law Cannon 2A and not give into partisan interest Cannon 3B(2). The Trial Court has evaded and avoided its responsibilities in an Act of "willful neglect of duty" which is an "Impeachable Offense" under Article VII, Section 1 of the Constitution of Missouri.

The Petition (Averment Three and Four) L.F. 8-11 presented facts that show "Fraud" has been perpetuated within the courts and by the courts. The Trial Court's responsibility is to take the appropriate action Cannon 3D(1) & 3D(2) and hear the case to determine if "Fraud" was present. This required review of past judgements and the record as a whole. If "Fraud" was

found the Trial Court is required to grant Appellant "Relief from Judgement" Rule 74.06(b)(2). These facts were dismissed, in a biased and prejudicial determination in avoidance of duty. Disobedience or evasion of constitutional mandates may not be tolerated. Sloat v. Board of Examiners, 274 NY 367, 9 NE2d 12

STANDARD OF REVIEW

The Missouri Court of Appeals must review the record as a whole to determine if the Trial Court has acted in violation of Rule 2A of the "Code of Judicial Conduct" Cannon 3D(1). Because Appellant has raised a substantial question as to the Judge's fitness for office, the issue must be examined and determined. If it is determined that violations of Rule 2 have occurred the Honorable Court must inform the appropriate authority Cannon 3D(1).

RULES OF CONSTRUCTION

The issues of this "Appeal" is plainly those of fundamental freedoms and rights granted by the Constitutions. The Constitution of Missouri Article I outlines the "Bill of Rights". Section 9, grants the right to petition for the redress of grievances. Section 10, the right to "Due Process of Law". Section 14 Open Courts –

Certain Remedies. Since 1991 Appellant has been denied these rights and deprived of life, liberty and property to give legal protection to an "unauthorized law enforcement corporation". Government has failed in its chief design by not giving security to these freedoms. Section 2.

Article V, Section 14 of the Constitution of Missouri gave the Trial Court jurisdiction. The Missouri Supreme Court (EN BANC) assigned the case to the Honorable Daniel L. Chadwick with the same powers and responsibilities as a judge of the court. L.F.83. The "Code of Judicial Conduct" outlines the responsibilities of Missouri's Judges as well as their public duty. "State courts have not only power but duty to enforce rights secured by Constitution and laws of United States when such issues are involved in proceedings before them." Betts v. Easley, 161 Kan 459, 169 P2d 831, 166 ALR 342

"TABLE OF AUTHORTIES" Presented in Appellant's Brief, "Dismissed" by the Missouri Court of Appeals, Western District and "Denied" Transfer By the Missouri Supreme Court

TABLE OF AUTHORTIES

28 U.S.C. 1343(1)
28 U.S.C. 1343(3)
28 U.S.C. 1343(4)
42 U.S.C. 1983
Article IV, Section 2, C of U.S.
Betts v. Easley, 161 Kan 459, 169 P2d 831, 166 ALR 342
C of Mo. Article I, Section 2
C of Mo. Article I, Section 3
C of Mo. Article I, Section 9
C of Mo. Article I, Section 10
C of Mo. Article I, Section 14
C of Mo. Article I, Section 18(a)
C of Mo. Article I, Section 28
C of Mo. Article III, Section 40(25)
C of Mo. Article III, Section 40(28)
C of Mo. Article IV, Section 2
C of Mo. Article V, Section 3
C of Mo. Article V, Section 14
C of Mo. Article V, Section 18
C of Mo. Article VI, Section 23
C of Mo. Article VII, Section 1
C of Mo. Article VII, Section 3
C of Mo. Article VII, Section 4
C of Mo. Article VII, Section 11

Appendix G

C of Mo. Article XI, Section 3
Extraordinary Remedies (CLE)
Fifth Amendment, C of U.S.
First Amendment, C of U.S.
Fourteenth Amendment, C of U.S.
Fourth Amendment, C of U.S.
Jackson County Home Rule Art. I, Sec 3
Johnson v. Duke 180 Md 434,24 A2d 304
Kintz v. Harriger 99 Ohio St 240, 124 NE 168 12 LAR
O'Bannon v. Gustafson 130 Mont 402, 303 P2d 938
People v. Parks 58 Cal 624
Revised Statues of Missouri 513.605(3)
Rule 2 (Code of Judicial Conduct)
Rule 2.03 Cannon 2A
Rule 2.03 Cannon 3B(2)
Rule 2.03 Cannon 3B(7)
Rule 2.03 Cannon 3C(3)
Rule 2.03 Cannon 3D(1)
Rule 2.03 Cannon 3D(2)
Rule 4 (Code of Professional Conduct)
Rule 4-8.4(c)
Rule 4-8.4(f)
Rule 4-9.1
Rule 55.09
Rule 55.25(a)
Rule 59.01(a)
Rule 59.01(a)
Rule 74.06(b)(2)
Rule 87
Rule 87.02(d)
Rule 87.05

Appendix G Continued

Rule 87.06
Rule 92
Rule 92.04
Rule 99.12
Rule 99.15
Sattle v. State 679 S.W. 2nd 310, 318
Sixth Amendment, C of U.S.
Sloat v. Board of Examiners, 274 NY 367.
9NE2d 12
State v. Sutton, 63 Minn. 147, 65 NW 263
30 L.A.R 630 Am St 459
Wong Sun v. United States 371 U.S. 471 83
S.CT. 407

Original
"Petition for Redress of Grievances"
(Filed January 19, 2000)

In the Circuit Court of Jackson County, Missouri at Kansas City

Case No. CV00-201952

Denny R. Hardin, Petitioner

vs.

State of Missouri
Jackson County, Missouri
Kansas City, Missouri
Jackson County Drug Enforcement Task Force, Incorporated.
Respondents

PETITION FOR REDRESS OF GRIEVANCE

COMES NOW, DENNY R. HARDIN in this "Independent Action" of petitioning Government under the authority of Constitution of Missouri Article I, Section 9 for the "Redress of Grievances". Pursuant to "Rule 53.01" this "Cause of Action" commences to "Pray for Relief" of past miscarriages of justice. Petitioner requests

"Findings of Fact" and "Conclusions of Law" and all "Relief Requested" in this "Cause of Action".

ORDER OF PRESENTATION

Pursuant to "Rule 55.11" complaints will be presented in Numbered Averments in Paragraph form outlining a set of circumstances.

Each "Averment" will be followed by the "Relief Requested" to right that particular "Miscarriage of Justice".

Pursuant to "Rule 55.13" "Averments of Authority" will be presented to show authority of Petitioner to seek "Relief" and the authority of this court to grant the "Relief Requested".

DEFINITION

Pursuant to "Rule 87.05" the term "Person" throughout this Petition refers to the "Jackson County Drug Enforcement Task Force, Inc." also known as "Jackson County Drug Task Force", Multi-jurisdictional Drug Task Force" and "Jackson County Multi-jurisdictional Drug Task Force". All are names utilized by this "Missouri Corporation".

AVERMENT ONE

This "Person" is not an authorized law enforcement agency in the State of Missouri. On November 21, 1986 "Articles of Incorporation" were filed with the Secretary of State's Office establishing this "Person" as a "Missouri Corporation". As a Corporation, this "Person" could not be granted any authority or jurisdiction to operate as a law enforcement agency or exercise the police powers of the State of Missouri. All acts of government to grant this "Person" authority and/or jurisdiction is a violation of Article XI, Section 3 of the Constitution of Missouri and are null and void.

RELIEF REQUESTED

Declaratory Judgement with "Findings of Fact" and "Conclusions of Law". Petitioner prays for a "Declaratory Judgement" of the Honorable Court because "State Actors" have represented this person as an authorized law enforcement agency. The Constitution of Missouri Article XI, Section 3, prohibits exercise of "police powers" by a corporation, therefore this "Person" can not be an authorized law enforcement agency. To terminate this controversy and remove

the uncertainty Petitioner prays for a "Declaratory Judgement".

AVERMENT OF AUTHORITY

Petitioner prays for a "Declaratory Judgement" pursuant to "Rule 87.02(d)" which states, "anyone may obtain such relief in any instance in which it will terminate a controversy or remove an uncertainty".

The Honorable Court has the jurisdiction and authority to grant this relief pursuant to "Rule 87.01", "Courts may grant Declaratory Judgements".

AVERMENT TWO

This "Person" has been represented by government officials acting as "state actors" and allowed to illegally exercise the "Police Powers" of seizure, search, investigation, arrest, prosecution, detainment and recipient of forfeited property. This "person" has received "public money" to operate as a law enforcement agency, a service it can not legally perform. These benefits have been granted to this "Person" by "state actors" of Jackson County, Missouri in violation of Article VI, Section 23 of the Constitution of

Missouri which prohibits "granting public money or thing of value to or in aid of any corporation". Petitioner considers "police powers" "a thing of value" because it is a privilege not shared by individual citizens.

RELIEF REQUESTED

Issuance of Injunctions

A. Restraining Order to Cease All Operations of this "Person".

Pursuant to "Rule 92.02(a)(1)" Petitioner prays for "Restraining Order" stopping all use of "police powers" by this "Person". Because this "Person" is not a "state actor" all acts carried out by it are violations of Article XI, Section 3 of the Constitution of Missouri and all evidence obtained by this "Person" is inadmissible as "fruit of a poisonous tree". Petitioner prays for a "Restraining Order to Cease all Actions" of this "Person", including use of "police powers" and the exercise of all legal process of wants, warrants and writs. Petitioner prays for this "Restraining Order" to protect the Public from further miscarriages of justice carried out under the color of law by this "Person".

B. Restraining Order to all "State Actors" of the State of Missouri

Appendix H Continued

Pursuant to "Rule 92.02(a)(1)" Petitioner prays for a "Restraining Order" to be issued to all "state actors" to cease all actions in concert with or in support of this "Person". Including cases of due process of law, issuance of wants/warrants and writs, all judgements and orders in favor of this "Person" and all grants of public money. Petitioner prays for this "Restraining Order" to halt the miscarriage of justice and to protect the public from further persecution by this "Person" under the color of state law.

AVERMENT OF AUTHORITY

Petitioner prays for the forgoing "Restraining Orders" under the authority of "Rule 92". This is done in an effort to protect the public from further peril, because everyday this "Person" is in operation. Public Safety is in jeopardy.

The Honorable Court has the authority and jurisdiction to grant this "Relief" and issue "Restraining Orders" pursuant to "Rule 92.01". Methods for issuance is outlined in "Rule 92.01(e).

Averment Three and Four will establish the Honorable Court's jurisdiction and authority to grant all the "Relief Requested" in this petition under 42 U.S.C. 1983.

AVERMENT THREE

This "Person" carried out a "Writ of Seizure" issued by Judge Lee Wells without a signed statement of probable cause that resulted in loss of private property. Judge Lee Wells was named a Third Party Defendant for issuance of the writ. Judge Wells acted in conflict of interest under the color of state law and refused to remove himself from the bench. Judge Wells under the color of state law over-ruled constitutional mandates and violated the rules of CAFA to award the private property to this "Person". This "Person" is not a "state actor" and does not have the jurisdiction or authority to seize or receive private property. Judge Lee Wells and this "Person" worked in concert to violate Petitioner's federally protected rights under the I, IV, V, IVX Amendments of the Constitution of the United States of America. All allegations of the "Petition for Forfeiture" were disproves and Judge Wells violated the Rules of CAFA in misconduct to award the property to this "Person". Judge Lee Wells acted without jurisdiction or authority to perpetuate "fraud" within his court.

RELIEF REQUESTED

Petitioner prays for relief of the

"Judgement" and "Orders" of Judge Lee Wells who acted in violation of law in Jackson County Circuit Court Case CV91-7821.

Petitioner prays for the return of one 1977 Chevrolet Corvette, Vin 1Z37L7S426938 to its rightful owner. This "Person" was awarded the car and is its possessor. Petitioner prays for garnishment of the vehicle, with this "Person" as "garnishee" pursuant to "Rule 90.01 (c)". Petitioner prays for an "Order of Delivery" pursuant to "Rule 90.05(b)".

AVERMENT OF AUTHORITY

Petitioner is entitled to relief under 42 U.S.C. 1983 when federally protected rights have been violated by state or local official or other person who acted under the color of state law.

The Honorable Court has the authority and jurisdiction to grant this relief pursuant to "Rule 74.06(b)" the Honor court may relieve a party from final judgement or order for the following reasons "Rule74.06(b)(2)" Fraud, misrepresentation or other misconduct of an adverse party. Further jurisdiction and authority is established under "Rule

74.06(d)" which states, "This Rule 74.06 does not limit the power of the court to entertain an independent action to relieve a party from judgement or order or to set aside a judgement for fraud upon the court.

The Honorable court has the authority and jurisdiction pursuant to "Rule 90.05(b)" to issue an "Order of Delivery" it states, "If the court finds that the facts stated in the affidavit show that the property subject to garnishment should be delivered to the sheriff, the court shall make an order that the garnishee so deliver the property."

AVERMENT FOUR

This "Person" gave evidence to a grand jury and misrepresented itself as a "state actor". The grand jury acted upon this fraud and issued a two count indictment against Petitioner. This resulted in wrongful arrest, wrongful prosecution, wrongful conviction, wrongful incarceration, denial of due process of law and denial of equal protection of law. "State actors" worked in concert with this "Person" to carry out "Fraud" within the courts. "State actors" and this "Person" violated Petitioner's federally protected rights under the I, V, and IVX Amendments of the Constitution of the United States of America. Because

"state actors" presented this "person" as a law enforcement agency a "fraud" was perpetuated in the court. This was carried out with malice, intent and knowledge of perpetuating "fraud" by "state actors" who presented motions to prohibit any mention of the jurisdiction or authority of this "Person".

RELIEF REQUESTED

Petitioner prays for relief from the "Judgement" and "Orders" issued by the State of Missouri in Jackson County Circuit Court Case CR91-2596. Petitioner prays for an exspongment of all records, notes, documents and orders concerning case CR91-2596 to be delivered to Petitioner. Petitioner prays for the restoration of all rights, privileges and immunities of a citizen of the State of Missouri and the United States of America.

AVERMENT OF AUTHORITY

Petitioner has the right to petition for the redress of grievances under Article I, Section 9 of the Constitution of Missouri. Petitioner is entitled to "relief" under 42 U.S.C. 1983.

The Honorable Court has the authority

and jurisdiction to grant "Relief Requested" under 42 U.S.C. 1983. The Honorable Court has further jurisdiction and authority to relieve a party from judgement or order or to set aside a judgement for fraud upon the court pursuant to "Rule 74.06(d)".

AVERMENT FIVE

"State Actors" of the State of Missouri, Jackson County, Missouri, and Kansas City, Missouri have failed to uphold their "Oaths of Office" and failed in their basic function to serve and protect Petitioner within their authority and jurisdiction. Failure of these "state actors" has resulted in the deprivation of federally protected rights of the Constitution of the United States of America under the I, IV, V, and IVX Amendments. Under the color of state law Petitioner has been deprived of property, wrongfully indicted, wrongfully prosecuted, wrongfully convicted, wrongfully incarcerated and required to serve five years of probation. Petitioner has suffered nine years of public humiliation, deformation of character, alienation of affection and isolation as a labeled "Drug Dealer".

RELIEF REQUESTED

Petitioner prays for just compensation for pain and suffering in the amount of $20,000,000 (Twenty Million Dollars). Because Jackson County Missouri improperly granted this "Person" the exercise of "police powers" and improperly contracted with it as a "law enforcement agency" Jackson County, Missouri is liable for the "Relief Requested".

AVERMENT OF AUTHORITY

Petitioner has the right under Article I, Section 9 to petition government for the redress of grievances. Pursuant to 42 U.S.C. 1983 Petitioner is entitled to "Relief" when federally protected rights have been violated by state or local official or other person who acted under the color of state law.

The Honorable Court has the jurisdiction and authority to grant all the "Relief Requested" pursuant to 42 U.S.C. 1983 that reads in relevant part;

"Every person who, under the color of any statue, ordinance, regulation, custom, or usage of any state... subjects, or causes to be subjected any citizen of the United States... to the deprivation of any rights, privileges or immunities secured by the

Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proceeding for redress..."

SUMMATION

This is an "independent action" to right past miscarriages of justice. Many "state actors" have acted without jurisdiction or authority and perpetuated "Fraud" within the courts. "State Actors" have conspired to allow this "Person" to exercise the "police powers" of the State of Missouri. These individuals are accountable for their actions and it is the responsibility of the State of Missouri to investigate, criminally charge, prosecute and if found guilty, incarcerate these individuals. Since 1991, these conspirators have been able to evade and avoid the issues of this petition. The truth can no longer be ignored.

The issues of this cause of action have been presented to the "Clerk" of the Missouri Supreme Court who recommended giving the court of original jurisdiction the opportunity to correct itself. Therefore, Petitioner has come before this Honorable Court to right these miscarriages of justice or gain jurisdiction for the Missouri Supreme Court. The Honorable Court has the jurisdiction and authority to grant the

"Relief Requested" and bring this cause of action to a just conclusion. This cause of action has dominated every aspect of Petitioner's life and deprived Petitioner of life liberty and the pursuit of happiness. For these reasons, Petitioner prays for "Relief" of the Honorable Court in order to begin a productive life as a "citizen" with all rights, privileges and immunities.

Submitted
With the Utmost Respect,

S/Denny R. Hardin
Denny R. Hardin
2450 Elmwood
Kansas City, Missouri 64127
(816)920-6269

ISSUANCE OF SUMMONS

Petitioner requests the issuance of "Summons" to the following "Respondents" so that service may be effected in accordance with "Rule 54.13(a)".

1. Attorney General (State of Missouri)
   At principle offices in Kansas City, Missouri
   Jeremiah W. Nixon
   3100 Broadway, Suite 609
   Kansas City, Missouri 64111

2. Clerk of Jackson County Circuit
   Court Summons for Jackson County,
   Missouri "Rule 54.13(b)(4)"
   415 East 12th Street, 3rd Floor
   Kansas City, Missouri 64106

3. City Attorney (Kansas City, Missouri)
   Walter O'Toole
   414 East 12th Street, 28th Floor
   Kansas City, Missouri 64106

4. President (Jackson County Drug
   Enforcement Task Force, Inc.) At
   principle offices of the Blue Springs,
   Missouri Police Department
   Howard L. Brown
   1100 Southwest Smith
   Blue Springs, Missouri 64105

S/Denny R. Hardin
Denny R. Hardin